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FURTHER REPORT OF THE SECRETARY-GENERAL SUBMITTED IN PURSUANCE OF PARAGRAPHS 18 AND 19 OF RESOLUTION 794 (1992)

1. The present report is submitted in pursuance of paragraphs 18 and 19 of Security Council resolution 794 (1992) of 3 December 1992 in which the Security Council:

"Requests the Secretary-General and, as appropriate, the States concerned to report to the Council on a regular basis, the first such report to be made no later than fifteen days after the adoption of this resolution, on the implementation of this resolution and the attainment of the objective of establishing a secure environment so as to enable the Council to make the necessary decision for a prompt transition to continued peace-keeping operations;

"Requests the Secretary-General to submit a plan to the Council initially within fifteen days after the adoption of this resolution to ensure that UNOSOM will be able to fulfil its mandate upon the withdrawal of the unified command;"

2. Section I of the present report contains a factual description of the further action taken since my report of 26 January 1993 to implement resolution 794 (1992). Humanitarian activities are covered in section II, political reconciliation in section III, establishment of a Somali police force in section IV and public information activities in section V. Section VI sets out my current thinking on the modalities for effecting the transition from the Unified Task Force (UNITAF), to what will become UNOSOM II. Financial aspects are covered in section VII and my observations are contained in section VIII.

I. IMPLEMENTATION OF SECURITY COUNCIL RESOLUTION 794 (1992) (26 January-28 February 1993)

3. The specific terms of reference entrusted to the Secretary-General by resolution 794 (1992) concern:

(a) The operations and further deployment of the United Nations Operation in Somalia (UNOSOM) (para. 6);

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(b) Implementation of the operation to establish a secure environment for humanitarian relief operations (para. 10);

(c) The establishment of mechanisms for coordination between the United Nations and UNITAF (para. 13), including the attachment of UNOSOM liaison staff to the headquarters of UNITAF (para. 15);

(d) Continued efforts to achieve a political settlement (para. 20).

The action taken under each of these mandates is described below.

A. The operations of UNOSOM

4. In my report of 26 January 1993 to the Security Council (S/25168), I indicated that a major preoccupation for UNOSOM at that juncture was the planning for the arrangements for the transition of UNITAF to UNOSOM II. The planning included present plans for deployment of troops to northern Somalia, proposals for mine clearance, creation of a Somali police force and gradual strengthening of the UNOSOM headquarters military component.

5. The military component of UNOSOM currently has a strength of 715 all ranks, composed mainly of an infantry battalion of 500 all ranks, 50 military observers, movement and logistics elements and a small headquarters company and staff. After the adoption of resolution 794 (1992), further deployment into Somalia, which had been authorized under Security Council resolution 775 (1992) of 28 August 1992, was put on hold pending assessment of conditions on the ground. However, I am continuing to strengthen UNOSOM headquarters. I have also appointed a Force Commander who will manage the transition process and command UNOSOM II when it is established.

B. Implementation of the operation to establish a secure environment for humanitarian relief operations

6. Since the adoption of Security Council resolution 794 (1992) UNITAF has deployed approximately 37,000 troops in southern and central Somalia. No troops have been deployed in the north and in border areas. The overall security situation in the sectors under the control of UNITAF has slowly improved, although incidents of violence continue to occur in the major population centres and in some rural areas. The UNITAF Commander has declared that "all areas are stable or relatively stable". However, UNITAF forces have continued to be the target of sniper fire and harassment, and, especially in recent weeks, major incidents of resumed fighting or rioting have been reported from Kismayo and Mogadishu. While most major clans and factions have welcomed the deployment of UNITAF and have cooperated, the positions of some of the faction leaders have not always remained consistent. UNITAF's presence in key areas of the country has reduced the influence of those whose power was based on their heavy weapons. A number of disarmament forays have been carried out on a limited scale, both in Mogadishu and in other locations

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within the designated sectors. It should be noted that the area under UNITAF control comprises only 40 per cent of the country's territory. No systematic attempt has been made to establish a secure environment outside this area.

C. Mechanisms for coordination

7. The following mechanisms for coordination have been established:

(a) At United Nations Headquarters:

- (i) A policy group on Somalia is chaired by the Secretary-General and meets regularly with senior representatives of the United States Government. It reviews the progress of the operation, composition of the Force, funding and planning for the future role of UNOSOM;
- (ii) An operational task force (chaired by the Under-Secretary-General for Peace-keeping Operations), comprising representatives from the Secretariat departments concerned and representatives of the United States, meets weekly;
- (iii) A liaison team composed of United States officers has been attached to the Department of Peace-keeping Operations since early January;
- (iv) A UNOSOM planning team is now in place in the Department of Peace-keeping Operations.

(b) At UNOSOM headquarters, Mogadishu, the UNOSOM Force Commander and the Commander of UNITAF are working closely in order to ensure coordination of the activities of the two Forces. Much of the detailed planning of the transition will take place in Mogadishu and, as already noted, UNOSOM headquarters is being strengthened for this purpose. A UNOSOM liaison staff has been working with UNITAF headquarters.

8. Several of the Member States that are cooperating with the United States in UNITAF have asked to be consulted on the current operations of the Force and progress on planning for the transition. I have initiated regular meetings to which all States participating in the Force are invited.

D. Continued efforts to achieve a political settlement

9. In addition to my endeavours regarding the cessation of hostilities and the observance of the cease-fire as well as the imperative need to provide humanitarian assistance to the people of Somalia, I have, in accordance with the mandate given to me by the Security Council, continued to promote efforts for national reconciliation and unity in the country, in cooperation with regional organizations, the League of Arab States (LAS), the Organization of African Unity (OAU) and the Organization of the Islamic Conference (OIC).

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10. In my last report (S/25168), I informed the Security Council about the outcome of the informal preparatory meeting for a Conference on National Reconciliation and Unity in Somalia which I convened at the headquarters of the United Nations Economic Commission for Africa in Addis Ababa (4-15 January 1993). I noted in particular that the following three agreements were concluded and signed at the meeting:

- (a) General Agreement of 8 January 1993;
- (b) Agreement on implementing the cease-fire and modalities of disarmament (Supplement to the General Agreement);
- (c) Agreement on the establishment of an ad hoc committee to help to resolve the criteria for participation at and the agenda for the National Reconciliation Conference as well as other issues pending from the informal meeting.

11. I also reported that, as stipulated in the latter Agreement, the first meeting of the Ad Hoc Committee was scheduled to be held in Addis Ababa on 22 January 1993 to submit recommendations to the meeting of the whole before 1 March 1993 on the criteria for participation at the National Reconciliation Conference. Regrettably, the Committee was unable to meet because the Somali National Alliance (SNA) refused to participate, alleging that the Somali National Front (SNF) and the Somali Patriotic Front (SPF) had violated the cease-fire agreement by attacking its forces in and around Kismayo.

12. A further meeting of the Ad Hoc Committee, scheduled for the beginning of February in Mogadishu, could not be convened because of the position taken by SNA that its representatives would not attend as long as SNF and Somali Patriotic Movement (SPM) forces continued to violate the cease-fire around Kismayo. As a result, the broad agreement reached in consultation with the individual Committee members on the agenda, the rules of procedures and the list of international observers to be invited to the Conference could not be formally endorsed by the Committee.

13. Subsequent consultations with SNA on the criteria for participation at the National Reconciliation Conference have helped to clear the way for convening a formal meeting of the Ad Hoc Committee. SNA has agreed not to insist on the exclusion of the smaller parties from participation at the Conference. It was also agreed that the participants should include politicians, community leaders, women and military representatives of the warring parties.

14. The only aspect of participation which has yet to be resolved is the size of the respective delegations of the parties. The parties have requested the United Nations to devise a formula for a fair allocation of delegates to each party.

15. Following these encouraging developments, my Special Representative issued invitations to the parties to attend a formal meeting of the Ad Hoc Committee in Mogadishu. The Committee held its first formal meeting on 23 February 1993 and completed its work when it resumed its meeting on 27 February following three days of interruption owing to rioting and fighting in Mogadishu (24-26 February). All Committee members, except the Somali National Democratic Union (SNDU), were represented at the meeting. In addition to the United Nations, representatives of the Horn of Africa Committee and of the Movement of Non-Aligned Countries were also present at the meeting.

16. On the first day of the meeting, the Committee adopted a report on participation, the draft agenda and procedures for reaching decisions. When the meeting resumed on 27 February, SNA submitted written reservations notably on the criteria for participation. The Committee agreed to circulate immediately its report to all political movements since time constraints would not allow the reconvening of the informal preparatory meeting of the whole to which it was expected to submit its report.

17. The progress achieved by the Committee has cleared the way for proceeding with arrangements for a meeting on national reconciliation. It is my intention to invite a broad cross-section of Somalis, representing political movements, community, religious and women's groups, civic and non-governmental organizations (NGOs) as well as elders and eminent persons to a Conference on National Reconciliation, to be held in Addis Ababa from 15 to 19 March 1993. The categories of participants have been agreed to by the Ad Hoc Committee. In addition to national reconciliation, the meeting will also consider organizational matters.

18. I have stressed that my efforts and those of my Special Representative will continue to give high priority to national reconciliation in Somalia in accordance with the mandate given to me by the Security Council. UNOSOM will therefore continue to promote and facilitate dialogue and communication between the various Somali parties, movements and factions in order to help to keep lines of communication open between them and to promote confidence-building measures so essential to the success of the efforts deployed for national reconciliation.

II. HUMANITARIAN ACTIVITIES

19. As mentioned in my progress report of 26 January 1993, the deployment of UNITAF forces has facilitated the flow of food and other emergency relief supplies into the neediest areas of Somalia at a quickly increased rate. The level of malnutrition and death from starvation has fallen dramatically in many areas.

20. At the same time, it must be borne in mind that the delivery of humanitarian assistance is bound to be affected by the security situation, which has tended to vary at times from week to week and from region to region,

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even though during the early period of the deployment of UNITAF the security situation had improved. Many of the "technical" vehicles were reported to have been withdrawn or placed in cantonment and large-scale looting decreased substantially. Commercial and market activities appeared to be picking up and some schools were reopened. Agricultural activities have been on the increase. However, in recent weeks the security situation has deteriorated.

21. As of the time of writing of the present report, the situation in many parts of the country remains complex and tense. Especially in rural areas and along Somalia's borders with Ethiopia and Kenya, security conditions remain unstable. The murders in January and February 1993 of United Nations Children's Fund (UNICEF), International Committee of the Red Cross (ICRC) and other relief workers highlight the extreme fragility of the security situation in spite of the presence of large numbers of military forces. This also highlights again the importance of a secure environment for the effective delivery of emergency relief and rehabilitation assistance.

22. It is in this context that the United Nations, in close cooperation with relevant organizations of the United Nations system and international NGOs as well as Somali representatives, is in the process of preparing a relief and rehabilitation programme for 1993.

23. The needs of Somalia are immense and urgent. In the southern and central parts of the country, large numbers of people remain destitute and totally dependent on relief food assistance. Measles, diarrhoea and other infections continue to take a heavy toll, particularly on small children. Lack of access to clean water sources and poor sanitation present major health threats. With the present security arrangements enabling areas hitherto inaccessible to be reached, some for the first time in many months, it has been confirmed that increased and expanded emergency programmes will be needed through most - if not all - of 1993.

24. It has become apparent that a substantial portion of Somalis are ready to rebuild their lives and their society. The first steps towards recovery and normalcy must be rapidly and judiciously supported to prevent further social and economic deterioration or a lapse into a new cycle of internecine killing and brutality.

25. Two major challenges in 1993 will be to facilitate the voluntary return of approximately 300,000 refugees, according to figures provided by Office of the United Nations High Commissioner for Refugees (UNHCR), and internally displaced persons as well as providing jobs and work for the many millions of Somalis who are presently unemployed. Among these groups are the many thousands of crews of "technicals", armed gangs, militias and private armies of the various factions. While channelling these people into lawful pursuits may be difficult, the creation of work through large-scale labour forces carrying out activities such as road repairs, canal clearing and sanitation is essential if Somalia is ever to become stable. Alongside such endeavours, vocational training programmes and adult literacy courses must also be explored.

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26. As regards refugees and displaced persons, some have already spontaneously returned to their home areas in recent months. These groups will need assistance to return to agricultural and/or livestock pursuits. However, many refugees and displaced people have indicated they are not yet willing to return home because of uncertain security in their areas of origin. These groups require continued relief assistance. For others who have lost their homes and their land, or where other families now occupy these areas, new alternative sites must be found. Given the current situation on the borders with Ethiopia and Kenya and political pressures for the Somali refugees to return to their own country, it is also imperative that contingency plans and stocks of household goods, food and other commodities are in hand to cope with sudden mass influxes back to Somalia.

27. A third major challenge concerns national capacity-building. National and regional Somali institutions and civil administration have virtually ceased to exist. None the less there remains considerable institutional memory and expertise on the part of former civil servants and local leaders. Programmes planned in 1993 must utilize these resources to the fullest extent possible, particularly in the consultative process of project identification and subsequent implementation. Somali women have assumed a stronger economic and political role as a result of civil strife. This trend will be encouraged in 1993 through the close involvement of Somali women's groups in both the planning and the delivery of assistance.

28. Countrywide, Somalis are calling for assistance in re-establishing education facilities. Most youngsters have no access to schools and the education of former students in the 15-25 age group has been totally disrupted. For want of alternatives, many of them have joined the bands of armed gangs roaming the streets and the countryside. The reopening of schools countrywide will be of vital importance to the process of returning to peace and stability.

29. The 100-day accelerated and expanded programme of assistance for Somalia, which ended on 19 January 1993, was launched at the height of the crisis in 1992 at a time when the focus was rightly on saving lives. At the Addis Ababa follow-up conference on the 100-day programme in early December 1992, participants agreed that efforts in 1993 should focus on beginning to return Somalia to normalcy. While the present relief and recovery programme for 1993 recognizes the need for continued large-scale relief assistance, it has been designed to go beyond the ongoing relief effort to pave the way for large-scale rehabilitation and reconstruction.

30. The cost of restoring Somalia as a nation and society will be enormous. It will take many years even to reach pre-war levels. As prospects for peace and stability improve, the international community will undoubtedly be called upon to assist the people of Somalia in supporting long-term national reconstruction and development. In the interim, much can be done immediately through the joint efforts of the international community and the Somali people. A main objective of the 1993 programme is thus to set the stage for such initiatives by enhancing the absorptive capacity of Somalia's human and institutional resources.

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31. Underlying the programming process is a sectoral core group structure to assess needs and devise projects for the 1993 programme. Ten core groups, comprising representatives of local and international NGOs, Somali organizations, donor Governments, ICRC and United Nations agencies, have been formed to cover the following priority sectors: health, water, food, security, nutrition, sanitation, employment, administrative rehabilitation, police forces, agriculture and livestock. These core groups will serve as the focal points for sectoral monitoring and reviews, leading to periodic updates. Simultaneously with this process, a regional input was sought through the established relief communities in the nine regional centres in the southern and central parts of the country. Inputs from the north-east and the north-west, primarily for rehabilitation, are put together through the UNOSOM regional offices in those areas. Their inputs have also been reflected in the present document.

32. A United Nations Conference on Humanitarian Assistance for Somalia will be held in Addis Ababa in March 1993 to review the relief and rehabilitation programme and receive pledges from donors. The active involvement of a wide spectrum of Somalis is indispensable to the effective implementation of the programme. Every effort will therefore be made to achieve broad Somali participation in the conference. A positive outcome of the humanitarian conference could provide added incentives for the national reconciliation process.

33. In order to ensure the effective implementation of the programme, particularly the coordination of relief efforts and the smooth transition from relief to rehabilitation, the United Nations Coordinator for Humanitarian Assistance for Somalia will be provided in the context of UNOSOM II with the necessary support in order to enable him to discharge his responsibilities.

Mine-clearance

34. The mine-clearance problems facing Somalia have not yet been seriously addressed. According to a report issued by Physicians for Human Rights, an NGO, much of northern Somalia remains contaminated by mines. Most of the mines lie scattered across pastoral lands or hidden near wells or water holes. Others have been laid on secondary roads or in former military installations. They are considered to be more prevalent in the countryside surrounding two of Somalia's principal cities, Hargeisa and Burao, and in the pastoral and agricultural lands west of Burao. The victims of the mines have been mainly civilians, of whom many are women and children.

35. No estimate has been made of the total number of mines laid, but some relief agencies have reported that many hundreds of thousands may still be in the ground. Some of these are in minefields, but many have been used as weapons of terror for denying access to homes, villages and water. There are an estimated 1,200 kilometres of roads to be demined in the Hargeisa area alone.

36. Some limited mine clearance has been undertaken by the Somali National Movement (SNM) when it reoccupied northern Somalia but out of its team of 60, some 40 per cent became mine casualties. A United Kingdom company, RIMFIRE, has been operating under contract from Médecins sans Frontières and UNHCR. It is reported that it has lifted some 25,000 mines in the Hargeisa area and enabled the repopulation of the town. This has probably only scratched the surface of the problem.

37. The UNOSOM military component will not have clearance of minefields as a mission objective although some clearance effort will be needed if any logistic base is set up in the Hargeisa region, because the airport area is still mined. There may well be a requirement for route clearance since mines may be used in a harassing role by some of the factions.

38. The humanitarian relief efforts will be more severely hampered, especially when they spread into the north. The humanitarian problems will become acute when large-scale attempts are made to rehabilitate the land and re-establish the rural economy. Much of the grazing land used by nomadic tribesmen will be unusable, and villages for returning refugees will require complete clearing before they can be restored to use.

39. It will therefore be necessary to establish a coherent and integrated programme for the removal of mines in Somalia. As a start, it is my intention to send the United Nations demining team of experts to Somalia to establish the extent of the problem. Following this visit, a mine-clearing plan should be drawn up, using the models at present in use or being built up in Afghanistan, Cambodia and Mozambique. The main components of the plan will include a proper minefield survey and extended contract mine clearance. If it becomes clear that the mines number millions rather than thousands, a mine-clearance training facility will have to be established, and a force of Somali mine clearers will have to be trained, as in Cambodia, to undertake the major part of the mine-clearance task, in a plan lasting years rather than months.

40. In a separate programme, a mine awareness programme will have to be established among refugees and displaced persons and known mined areas will have to be fenced or marked off to prevent nomadic tribesmen from using mined areas for grazing.

III. POLITICAL RECONCILIATION

41. Ultimately, all the efforts being undertaken by the United Nations in Somalia are directed towards one central goal: to assist the people of Somalia to create and maintain order and new institutions for their own governance. The absence of a central Government has aggravated the social, economic and political difficulties in the country. In fact, the non-existence of a Government in Somalia is one of the main reasons for the now more robust role of the Organization in the country.

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42. Various avenues have been actively explored to enhance Somalia's capability to govern itself. In this connection, my Special Representative and other senior officials have been consulting with elders, leaders, warring factions and women's professional groups on how best to create a broad-based Government.

43. I and my Special Representative have encountered difficulties in our efforts aimed at promoting national reconciliation in Somalia. National reconciliation is a difficult process in the best of circumstances; it is particularly difficult in Somalia because of the multiplicity of parties, factions and other leaders and the total absence of law and order in all parts of the country. The primary initiative for national reconciliation must be left to the Somalis themselves. While this may be the ideal approach, the experience thus far has clearly shown the need for the United Nations to be given a broader mandate, not only in organizing, but also in promoting and advancing, the cause of national reconciliation.

44. As reported to the Security Council in my progress report of 26 January 1993 (S/25168), I convened an informal preparatory meeting for a Conference on National Reconciliation and Unity in Addis Ababa on 4 January 1993. The participants reached agreement on three major documents (see para. 10 above).

45. As indicated in paragraph 32 above, a United Nations Conference on Humanitarian Assistance is to be held in Addis Ababa from 11 to 13 March 1993, to be followed immediately by the Conference on National Reconciliation. These meetings are expected to provide an opportunity for all segments of Somali society, including the political factions, movements, community leaders, women, intellectuals and others to meet under one roof and discuss the problems of political reconciliation, humanitarian assistance as well as programmes for viable rehabilitation and reconstruction.

IV. ESTABLISHMENT OF A SOMALI POLICE FORCE

46. I had indicated in my previous reports to the Council (S/24992, para. 30 and S/25168, para. 23) that I considered the establishment of a Somali police force as a crucial step in the efforts of UNITAF and UNOSOM to create a secure environment in Somalia. With that in mind, I had sent an expert team which, under the guidance of my Special Representative, would prepare a plan for the establishment of a neutral police force in Somalia.

47. The team was requested to study the feasibility of establishing such a national police force, make recommendations and develop a strategy for implementation.

48. The expert team was also requested to outline the appropriate modalities for training Somali personnel in the maintenance of law and order as well as the discharge of police responsibilities, while adhering to internationally accepted principles and practices for the protection of human rights.

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49. As mentioned in paragraph 23 of my report of 26 January 1993, UNITAF, under its supervision and in close consultation with my Special Representative, has now constituted an interim auxiliary force composed of former police officers. This auxiliary force will, as a temporary arrangement, oversee road traffic control and undertake the protection of feeding centres, thus relieving United Nations agencies and NGOs from the dependency on locally hired guards and freeing UNOSOM soldiers for more demanding and urgent tasks. I have requested the expert team to study the arrangements established for the auxiliary force with a view eventually to integrating some of its elements into a new civilian police force.

50. Bearing the above in mind, I consider it a matter of expediency to include an international civilian police component in the future UNOSOM II, but would refrain from making any specific recommendations at this time pending the receipt of the expert team's recommendations. I will therefore shortly bring to the attention of the Council a more detailed assessment on the establishment of this civilian police force.

V. PUBLIC INFORMATION ACTIVITIES

51. To support the execution of the new mandate for UNOSOM II, an intensive and expanded information campaign will be required. Transitional arrangements from UNITAF to UNOSOM II will have to be conveyed to the general public. The new mandate under which UNOSOM II will be operating must be translated into vernacular languages and broadcast at large. In addition and as the political climate changes, new information inputs will have to be designed in order to support every aspect of the operation and stimulate a stable social climate. It is also my intention to use public information activities in Somalia as an educational tool to strengthen the peace process, human rights and overall productive economic integration.

52. The information component in UNOSOM II will absorb themes developed on a day-to-day basis from the different highlights of the United Nations presence in Somalia such as transitional arrangements, cease-fire observances, disarmament, demobilization of armed groups, training of civilian police, refugee resettlement, safety, health and hygiene, just to mention the most important. The collaboration of United Nations specialized agencies and programmes will be sought in the elaboration of some of these broadcast elements.

53. The Department of Public Information of the United Nations Secretariat has secured an agreement with Radio Cairo as of 15 January 1993, by which Radio Cairo's External Services Network translates and broadcasts in Somalia United Nations-produced material. This arrangement is expected to be in place for approximately three months, after which time the United Nations will be in a position to evaluate the service in the light of internal developments and the evolving requirements of the UNOSOM II information programme. Similar arrangements with radio stations in the neighbouring countries will be explored. In the meantime the United Nations is arranging the modalities for

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UNOSOM II to assume responsibility for the operation of a daily newspaper and a radio station, which are currently managed by the United States under UNITAF.

VI. THE MODALITIES FOR TRANSITION FROM UNITAF TO UNOSOM II

The present situation

54. The Security Council, acting under Chapter VII of the Charter of the United Nations, had authorized the Secretary-General and certain Member States to establish as soon as possible a secure environment for humanitarian relief operations in Somalia.

55. There is no doubt that the presence and operations of UNITAF have had, especially during the initial period of its deployment, a positive impact on the security situation in Somalia and on the effective delivery of humanitarian assistance. However, as indicated in paragraphs 19 and 20 above, this improvement cannot yet be regarded as irreversible and conditions are still volatile. The security threat to personnel of the United Nations and its agencies, UNITAF, ICRC and NGOs is still high in some areas of the city of Mogadishu and other places in Somalia. As mentioned above, UNITAF has deployed only in the central and southern parts of the country. Disarmament is far from complete.

The new mandate

56. The Council will now have to consider whether to authorize an enlargement of UNOSOM and redefine its mandate to include operations under Chapter VII of the Charter. The consequence of such a decision would be far-reaching for political, legal and logistical reasons and would entail a major financial commitment. The view which I have conveyed to the Security Council during the last two months is still current and valid: without improved security all over the country the political process cannot prosper and humanitarian operations will remain vulnerable to disruption. I have, therefore, devoted a great deal of my efforts to ensure that parallel steps are taken: cease-fire and reconciliation mechanisms, disarmament and creation of a civilian police force, rehabilitation alongside political dialogue. I have insisted with all the factions and elders that it is up to them to change the course of violence towards peace and I have assured them that the international community stands ready to support their efforts in this direction.

57. My firm view, as stated in my letter to President Bush of 8 December 1992, remains that the mandate of UNOSOM II must cover the whole territory of Somalia and include disarmament. Moreover, as indicated in my report of 19 December 1992 (S/24992), UNOSOM II's mandate will include the following military tasks:

(a) To monitor that all factions continue to respect the cessation of hostilities and other agreements to which they have agreed, particularly the Addis Ababa agreements of January 1993;

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(b) To prevent any resumption of violence and, if necessary, take appropriate action against any faction that violates or threatens to violate the cessation of hostilities;

(c) To maintain control of the heavy weapons of the organized factions which will have been brought under international control pending their eventual destruction or transfer to a newly constituted national army;

(d) To seize the small arms of all unauthorized armed elements and to assist in the registration and security of such arms;

(e) To secure or maintain security at all ports, airports and lines of communications required for the delivery of humanitarian assistance;

(f) To protect, as required, the personnel, installations and equipments of United Nations and its agencies, ICRC as well as NGOs and to take such forceful action as may be required to neutralize armed elements that attack, or threaten to attack, such facilities and personnel, pending the establishment of a new Somali police force which can assume this responsibility;

(g) To continue the programme for mine-clearing in the most afflicted areas;

(h) To assist in the repatriation of refugees and displaced persons within Somalia;

(i) To carry out such other functions as may be authorized by the Security Council.

58. It is clear to me that the effort undertaken by UNITAF to establish a secure environment in Somalia is far from complete and in any case has not attempted to address the situation throughout all of Somalia. Moreover, there have been, especially recently, some disheartening reverses. Accordingly, the threat to international peace and security which the Security Council ascertained in the third preambular paragraph of resolution 794 (1992) is still in existence. Consequently UNOSOM II will not be able to implement the above mandate unless it is endowed with enforcement powers under Chapter VII of the Charter.

Cease-fire and disarmament concept

59. In my report of 26 January 1993 (S/25168), I informed the Council of the agreements reached at the informal preparatory meeting for a Conference on National Reconciliation and Unity held in Addis Ababa from 4 to 15 January 1993. Annex III to that report, "Agreement on implementing the cease-fire and on modalities of disarmament", concluded that it would enter into force on 15 January 1993. Paragraph 1.2 stipulates that the militias of all political movements shall be encamped and disarmed simultaneously throughout Somalia and that the international community "will be requested to

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provide the encamped militias with upkeep". Paragraph 1.3 requires that the future of the encamped militias shall be decided at the time of the final political settlement in Somalia.

60. On the basis of the Addis Ababa agreements, a combined planning committee composed of senior officers from both UNITAF and UNOSOM has developed a Somalia cease-fire disarmament concept.

61. Under this concept, the disarmament process would be continuous and irreversible. It would continue as long as required or until a Somali Government was functioning effectively. A standardized and simple process would be used to disarm all factions. Once a faction had committed itself to disarmament by placing its heavy weapons in cantonment sites or relinquishing its small arms at a transition site, it would not be entitled to reclaim those weapons.

62. Throughout the process, it would be useful to keep the major faction leaders informed about progress in disarming all the factions. This would place political pressure on factions that seek to delay or fail to comply with the disarmament process and would provide a sense of security for the factions complying with that process.

63. To be effective the disarmament process should be enforceable. Those factions or personnel who fail to comply with timetables or other modalities of the process would have their weapons and equipment confiscated and/or destroyed.

64. As called for in the Addis Ababa agreements, both the cease-fire and the disarmament process should be carried out under modalities agreed to by the Somalis themselves under the supervision and with the cooperation of UNOSOM II.

65. The concept outlined above would require the establishment of cantonment and transition sites. A cantonment is defined as a location where heavy weapons, including all crew-served weapons and anti-armour weapons/rockets, would be stored. A transition site is defined as a location where factional forces would be given temporary accommodation while they turned in their small arms, registered for future governmental and non-governmental support and received guidance and training for their eventual reintegration in civilian life.

66. Cantonment sites should be designated in the vicinity of current force locations. Transition sites should be selected by the United Nations after consultation with the Somali factions. Cantonment and transition sites should be separated from each other to prevent any temptation by factions or groups to seize the heavy weapons.

67. A committee composed of United Nations and faction representatives should jointly determine those heavy weapons which would be an asset to a new Somali national army and which would be retained in the cantonments and the rest would be destroyed. The heavy weapons should be delivered to cantonment sites

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by faction personnel before they proceed to the transition sites. Cantonment site security would be the responsibility of UNOSOM II.

68. Some personnel in the transition sites should be allowed to retain a limited number of small arms for security purposes. Accommodation in the new sites should be temporary, pending relocation and reintegration in civilian society. The transition sites should at all times be open for verification by UNOSOM. Limited assistance would be offered by the United Nations in transporting faction personnel to the transition sites. Transition sites within each region/geographical area would be occupied simultaneously, in order to provide a sense of security for all participants.

69. The operational concept outlined above is based on the assumption that UNOSOM will assist in implementing the Addis Ababa agreements. Both UNITAF and my staff are aware of the administrative and financial problems that will arise in the storage of heavy weapons and in the accommodation and upkeep of demobilized militias for an indeterminate period of time. I consider however that alternative methods, such as material or financial incentives for disarmament, should be considered an option to be kept under review in the light of the experience that will be gathered in this process.

Military concept of operations

70. The strength of the forces required to implement such a mandate would have to be substantial in the early stage in order to minimize the risk of any deterioration in the security conditions and to ensure a secure environment as quickly as possible both in those areas covered by UNITAF and in those that are not. It could be reduced progressively as the political process advances and the new police force becomes operational.

71. It is estimated that it would be necessary to deploy a military component of 20,000 all ranks to carry out the assigned tasks and an additional 8,000 personnel to provide the logistic support required. The logistic contingent, the bulk of which would initially come from UNITAF, will constitute an integral part of UNOSOM. I have also received an understanding from the United States Government that a tactical quick reaction force would be available in support of the Force Commander of UNOSOM II; a memorandum of understanding will be concluded between the United States and UNOSOM during the transfer phase.

72. To put the proposed strength in perspective, it is useful to bear in mind that UNITAF, with an initial strength of 37,000, is deployed in 40 per cent of the territory. It might be asked why in that case the recommendation is for a total military component of only 28,000 for deployment in the entire territory of Somalia.

73. At the beginning of the operation, UNITAF introduced into the theatre a large force of approximately 37,000, including approximately 8,000 at sea, in order to break down resistance and take control of the situation. Once this was done and organized fighting with heavy weapons had largely ceased, the

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requirements were scaled down. At present there are approximately 28,400 UNITAF forces ashore, including heavy construction forces. The task at hand now is to control sporadic and localized fighting and can therefore be dealt with by fewer troops. Secondly, intelligence-gathering capabilities that have been developed on the ground will give UNOSOM warning of violent situations developing and allow the Force Commander to readjust his troop deployment. Thirdly, it is believed that the establishment of an auxiliary police force should help in improving law and order and in releasing UNOSOM soldiers from guard duties for other more demanding tasks. Lastly, a tactical quick reaction force will be available at the request of the Force Commander.

74. In the light of the above, I am prepared to accept the above-mentioned recommendations at this stage, given the need for maximum economy and efficiency and my constant endeavour to keep the size of the United Nations presence in any situation to the minimum. However, I should like to emphasize that I must reserve my right to revert to the Council in case I feel the need for additional troops to increase the strength of UNOSOM II, depending on the progress made in establishing a secure environment throughout the country. In conclusion I must point out that the security conditions in Somalia might compel me periodically to review the troop strength required to implement the mandate of UNOSOM II.

75. The force mentioned in paragraph 71 above will include:

- (a) A Force headquarters;
- (b) Five brigades;
- (c) A logistic support group.

76. The logistic support group would, in the first and second phases, be provided mainly by the UNITAF logistics forces, until UNOSOM II can establish the necessary logistic support through organic forces or by contract. I would like to stress however that the ability of UNOSOM to carry out its mandate will depend on critical logistical and other support from the United States, including a tactical quick reaction force.

77. The combat forces would need the following capabilities:

- (a) Patrolling and close-combat;
- (b) Information-gathering and interpretation;
- (c) Indirect fire;
- (d) Anti-armour fire;
- (e) All-weather night and day operations;
- (f) Casualty evacuation;

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(g) Tactical communications;

(h) Air support (fire power and transport).

78. The UNOSOM Force Commander would report directly to the Secretary-General's Special Representative. Areas of operations would be allocated to brigade commanders who would report directly to the UNOSOM II Force Commander. These commanders would be responsible for conducting military operations and assisting in the implementation of cease-fire/disarmament agreements in their respective areas of operations. A tactical quick reaction force of at least battalion strength to be provided by the United States will be available in support of UNOSOM II.

79. UNOSOM military operations would be conducted in four phases:

Phase I - Transition from UNITAF;

Phase II - Consolidation and expansion of security;

Phase III - Transfer to civilian institutions;

Phase IV - Redeployment.

These phases are not meant to be applied rigidly or uniformly throughout Somalia, but merely describe a general sequence. For example, some areas of operations might be implementing phase III while in another area phase I or II would still be in effect. The exact timing of transition from phase to phase would be determined to a large extent by political reconciliation efforts and rehabilitation programmes. The Force Commander may shift forces within country to meet these changing requirements.

Phase I

80. In this phase, military operations would concentrate on the transition of operational control from UNITAF to UNOSOM II. Military support to relief activity and the disarming of factions would continue throughout the transition.

81. Prior to the UNOSOM II Force Commander's formal assumption of operational responsibility from UNITAF, certain preparatory steps would be required. The expansion of UNOSOM II Force headquarters would have to continue until it was operationally capable. UNITAF would have to ensure that subordinate elements that would remain in Somalia under UNOSOM II were given appropriate command and control structures. The United States Government would be asked to form a tactical quick reaction force to support UNOSOM II's Force Commander.

82. Upon receipt of a joint recommendation by the Commander of UNITAF and the UNOSOM II Force Commander, I would approve UNOSOM II's assumption of operational responsibility for the unit or units concerned. At the appropriate stage the UNOSOM II Force Commander would also take over the

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logistic support forces previously controlled by UNITAF. In all phases, the United States tactical quick reaction force would be placed in support of the UNOSOM II Force Commander.

83. When the UNOSOM II Force Commander has assumed operational responsibility within an area of operation, UNITAF personnel in that area of operation will be redeployed to their countries of origin at the discretion of their Government(s) and under the protection of UNOSOM II troops.

84. This phase would be complete when all UNITAF forces participating in UNOSOM, as well as other forces provided by other troop-contributing countries, have been placed under operational control of the UNOSOM II Force Commander.

Phase II

85. Military operations in phase II would be designed to consolidate United Nations operational control over all assigned elements and designated activity. Continued efforts to assist relief activity and participate in the implementation of the Addis Ababa agreements would involve all military forces. Operations would be extended into northern Somalia, based on the port cities of Berbera and Bossasso, and moving to Hargeisa and Garoe. UNOSOM II military forces would assist any new humanitarian initiatives started in this region, particularly mine-clearance projects as addressed above. Phase II would conclude when UNOSOM II was deployed and operating effectively throughout Somalia and the border regions.

Phase III

86. In this period, major efforts would be made to reduce military activity and assist civil authorities to exercise greater responsibility, according to their ability to do so. National rehabilitation and reconciliation initiatives under Somali leadership would be encouraged and supported by United Nations representatives. Military presence might be scaled down in the more stable areas and the tempo of military operations reduced as circumstances allow. Phase III would end when a Somali national police force was operational and major United Nations military operations were no longer required.

Phase IV

87. At an appropriate stage, I would make a recommendation to the Council to redeploy or reduce the forces.

Rules of engagement

88. The rules of engagement would be defined by the UNOSOM II Force Commander. They would authorize and direct commanders to take certain specific actions if they were judged necessary to fulfil the mandate.

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VII. FINANCIAL ASPECTS

89. The concept outlined in the present report would require a substantial input of financial resources. I shall circulate shortly an addendum to the present report that will contain the preliminary cost estimate for UNOSOM II for a period of 12 months. Overall operations will require 20,000 military personnel of all ranks plus 8,000 logistical support staff, as well as a considerably strengthened civilian staff of approximately 2,800 individuals. It would be my recommendation to the General Assembly, should the Security Council agree to the deployment of UNOSOM II, that the cost relating thereto should be considered as an expense of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations and that the assessment to be levied on Member States be credited to a special account to be established for this purpose. It would further be my intention to maintain the United Nations fund for operations in Somalia authorized by paragraph 11 of Security Council resolution 794 (1992). I appeal to all Member States that are in a position to do so to contribute generously to that fund. Such voluntary contributions would reduce the burden that Member States would have to bear under the assessment scheme. With this in mind, I intend to send emissaries to certain heads of State or Government to explain the operations and to encourage them to make generous donations to the fund.

VIII. OBSERVATIONS

90. As the members of the Council are aware, the mission of UNITAF was originally envisaged as a short-term police action. I believe that UNITAF has made an important contribution in the international effort to stop the lawlessness and disarm the warring factions in its area of operations. However, events in Kismayo and Mogadishu during the week of 21 February 1993 have demonstrated the volatile situation that still exists. They underscore the fact, which I have indicated in the present report, that a secure environment has not yet been established. Moreover, there has been no deployment of UNITAF or UNOSOM troops to the north-east and north-west, or along the Kenyan-Somali border, where security is a matter of grave concern. I believe, therefore, that, if the Council determines that the time has come to move to another stage in its operations in Somalia, it should be prepared to ensure that UNOSOM II is fully in a position to carry out its tasks.

91. The mandate of UNOSOM II, as conceived in the present report, would confer authority for appropriate action, including enforcement action as necessary, to establish throughout Somalia a secure environment for humanitarian assistance. To that end, UNOSOM II would seek to complete, through disarmament and reconciliation, the task begun by UNITAF for the restoration of peace, stability, law and order. The mandate would also empower UNOSOM II to provide assistance to the Somali people in rebuilding their shattered economy and social and political life, re-establishing the country's institutional structure, achieving national political reconciliation, recreating a Somali State based on democratic governance and rehabilitating the country's economy and infrastructure.

92. Notwithstanding the compelling necessity for authority to use enforcement measures as appropriate, I continue to hold to my conviction that the political will to achieve security, reconciliation and peace must spring from the Somalis themselves. Even if it is authorized to resort to forceful action in certain circumstances, UNOSOM II cannot and must not be expected to substitute itself for the Somali people. Nor can or should it use its authority to impose one or another system of governmental organization. It may and should, however, be in a position to press for the observance of United Nations standards of human rights and justice.

93. UNOSOM II will continue to assist the factions in completing the total disarmament and demobilization process called for in the Addis Ababa accords, to ensure that the secure environment is established on a country-wide basis, and to monitor the strict observance of the cease-fire.

94. A secure environment continues to be essential for the effective delivery of humanitarian assistance and for the reconstruction of the country. The deployment of UNITAF forces has permitted a substantial increase in the delivery of humanitarian assistance and opened up access to more remote areas. Emergency relief assistance will continue to be required throughout 1993. There is also an urgent need for the international community to accelerate its efforts to assist the Somalis to rebuild their society, rehabilitate the decayed infrastructure and pave the way for a secure return of all refugees. To achieve these objectives, the United Nations is putting together a humanitarian programme for 1993 with the active participation of the Somalis, United Nations organizations, ICRC and NGOs. I look forward to the support of donors for this programme at the United Nations Humanitarian Conference to be convened in Addis Ababa from 11 to 13 March 1993.

95. There must be a smooth transition from UNITAF to UNOSOM II without any hiatus that could be exploited by factions or gangs. UNOSOM II will need to have sufficient troops and logistic support elements deployed in Somalia to take over seamlessly from UNITAF in each area from which it withdraws and to deploy troops in the north and along the boundary with Kenya. This transition will have to be effected progressively, area by area, when adequate troops, command and control and logistics are available to UNOSOM II in a given area.

96. A number of the Member States that are cooperating with the United States in UNITAF have expressed willingness to have their contingents serve eventually in UNOSOM II. It is my intention, for obvious reasons of practical convenience and economy, to include in UNOSOM II as many contingents as possible that are already in Somalia serving under the command of UNITAF. Subject to the Security Council's approval in due course, and that of the contributing Governments concerned, arrangements would be coordinated for each such unit to pass on an appointed day from the operational command of UNITAF to that of the United Nations, as required by the phased transfer of responsibility referred to above. While it is difficult to determine when this transfer will be completed, for budgetary and administrative purposes, the formal date of transfer of command from UNITAF to UNOSOM II will be 1 May 1993.

97. One further point would need to be clarified in any Security Council resolution authorizing the deployment of UNOSOM II under the new mandate, namely that the deployment will be at the discretion of the Secretary-General, his Special Representative and the Force Commander acting under the authority of the Security Council. Such deployment would not be subject to the agreement of any local faction leaders. The deployment of UNOSOM II would have to cover the whole country, including its borders, both for the purpose of controlling the movement of refugees and to prevent the illicit introduction of arms into Somalia and to avoid destabilization of the neighbouring countries. Furthermore, Member States should be encouraged to monitor and report violations of the arms embargo established by the Security Council in its resolution 733 (1992), particularly those Member States that have ships operating off the coast of Somalia and the neighbouring countries of the Horn of Africa, namely Djibouti, Ethiopia and Kenya.

98. I am aware of the very delicate question of the secession proclamation in the north. However, as the mandate of UNOSOM covers the entire country, troops will be deployed in the north as well as in the south. Such an international presence should help the process of rehabilitation and delivery of international assistance. The deployment of UNOSOM to the north would not prejudice in any way the decision of the Somali people on their national future. I believe that the Somali political reconciliation process is broad enough to accommodate discussions and negotiations among all groups and factions.

99. With regard to political reconciliation, it is essential to maintain the momentum gained in Addis Ababa and convene a national reconciliation conference which could build on the results of the informal preparatory meeting of January 1993. This may be particularly important in view of the difficulties encountered in activating the Ad Hoc Committee established at Addis Ababa. It would also be desirable for such a conference to have broad participation by all Somali movements, factions, community leaders, women, intellectuals, etc. This would help to ensure that the validity and decisions of the conference would be recognized by the Somali public at large. I am also reassured by the tangible support extended to me by LAS, OAU and OIC, as well as the Movement of Non-Aligned Countries and the Horn of Africa Committee. Their assistance in the creation of the Somali trust fund and in our efforts to establish a rehabilitation programme as well as their contribution towards political reconciliation have been valuable.

100. It was the uniqueness of the situation in Somalia that led to the adoption of resolution 794 (1992) by the Security Council. While the emergency operation launched by the international community in the form of UNITAF has achieved, to a considerable extent, the immediate objective of making sure humanitarian assistance reaches the needy, I must emphasize that the unique features of the situation continue to prevail. There is still no effective functioning Government in the country. There is still no organized civilian police force. There is still no disciplined national armed force. As recent events have tragically demonstrated, the atmosphere of lawlessness and tension is far from being eliminated. I have repeatedly stated that my

major concern has been with the existence of large amounts of armaments in the hands of the factions and guerrilla bands. The operations launched by UNITAF, especially in the past few weeks, have undoubtedly succeeded in getting some of these stocks of weaponry confiscated and destroyed. It is, however, obvious that we have only scratched the surface of the problem so far. Disarming the factions and placing their heavy weaponry under international control for eventual destruction or placement at the disposal of the new national army of Somalia is, in my view, the most urgent and pressing task for UNOSOM II.

101. UNOSOM II would be the first operation of its kind to be authorized by the international community. It would be an expression of the international community's determination not to remain a silent spectator to the sufferings of an entire people for no fault of their own. It would also be an answer of the international community to the universally shared concern that the situation in Somalia, though primarily of a domestic nature, could affect the peace and stability of the entire region of which Somalia forms an integral part, unless energetic and timely action is taken to avert a major humanitarian and security disaster. The task ahead would not be easy. UNOSOM II might frequently come under criticism for acts of omission or commission. It is also difficult to anticipate, with any degree of certainty, the duration of UNOSOM II'S mandate. None the less, I am satisfied that the recommendations I have made in the present report are a necessary, indeed inescapable response of the international community to the tragedy in Somalia.

102. As the mission of UNITAF nears completion, I wish to express my profound appreciation to the Government of the United States for its timely initiative in offering its assistance to the United Nations at a crucial stage of its operation in Somalia, and for the skill and efficiency with which UNITAF has carried out its mandate. I also wish to express my gratitude to all the other Governments that have contributed contingents to UNITAF, and to their soldiers for their dedicated service to this operation.

103. I wish to express my heartfelt gratitude to Mr. Kittani, my Special Representative, and to Brigadier-General Shaheen, the Force Commander, and the staff of UNOSOM, as well as the staff of ICRC and NGOs, for the devotion, skill and leadership that they have demonstrated, often in extremely trying circumstances, in the service of the United Nations in Somalia.

104. Lastly, I wish to express my sincere condolences to the Government of the United States upon the death of members of its contingent while serving with UNITAF in Somalia. I should also like to pay a heartfelt tribute to the staff members who died in the performance of their duties in Somalia as well as the members of the relief community, including those of UNICEF, ICRC and NGOs who sacrificed their lives while assisting the Somali people.



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11 March 1993

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FURTHER REPORT OF THE SECRETARY-GENERAL SUBMITTED
IN PURSUANCE OF OPERATIVE PARAGRAPHS 18 AND 19 OF
RESOLUTION 794 (1992)

Addendum

1. In paragraph 89 of my main report to the Security Council (S/25354), I indicated my intention to circulate an addendum to the report, which would contain the preliminary cost estimate for the United Nations Operation in Somalia (UNOSOM) for a period of 12 months, should the Council decide to authorize an enlargement of UNOSOM and redefine its mandate.
2. The concept of the new mandate is outlined in paragraphs 56 to 58 of the main report.
3. It is estimated that the costs associated with the deployment of UNOSOM whose overall operations would require 20,000 personnel of all ranks plus 8,000 logistical support staff as well as civilian staff of approximately 2,800 individuals for a 12-month period would be \$1,550 million. A breakdown of the estimated cost by main objects of expenditure is provided for information purposes in the annex to this addendum. The estimate does not take into consideration any unencumbered balance of appropriations that may exist from UNOSOM. The unencumbered balance is estimated at some \$70 million at this time.
4. It would be my recommendation to the General Assembly that, should the Security Council agree to the enlargement of UNOSOM, the cost relating thereto should continue to be considered as an expense of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations. I would further recommend to the Assembly that the assessment to be levied on Member States be credited to the existing UNOSOM special account.

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Annex

Twelve-month cost estimate for the enlargement of UNOSOM

(Thousands of United States dollars)

Objects of expenditure

1.	Military component	
	(a) Contingent personnel	598 550.0
	(b) Other costs pertaining to contingents	237 450.0
2.	Civilian police	8 900.0
3.	Civilian staff costs, including travel to the mission area <u>a/</u>	166 950.0
4.	Premises, rental and maintenance	166 300.0
5.	Vehicle operations	61 600.0
6.	Air operations	179 990.0
7.	Communications and other equipment	59 900.0
8.	Miscellaneous supplies, services, freight and support costs	52 260.0
9.	Mine clearance	<u>18 100.0</u>
	Total estimate (gross)	<u>1 550 000.0</u>

a/ Provides for 2,545 international staff including locally recruited staff and 255 United Nations volunteers.



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S/25355
3 March 1993
ENGLISH
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LETTER DATED 28 FEBRUARY 1993 FROM THE PERMANENT REPRESENTATIVE
OF RWANDA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF
THE SECURITY COUNCIL

I have the honour to request you to circulate the text of my letter of
22 February 1993 as a document of the Security Council.

(Signed) Jean-Damascène BIZIMANA
Ambassador
Permanent Representative of Rwanda
to the United Nations

Annex

Letter dated 22 February 1993 from the Permanent Representative
of Rwanda to the United Nations addressed to the President of
the Security Council

On instructions from my Government, I have the honour to draw your attention to the armed conflict affecting Rwanda and to request the deployment of a team of United Nations military observers on both sides of the frontier between Rwanda and Uganda, the country from which the Rwandese Patriotic Front, composed essentially of Rwandese refugees, has been attacking Rwanda since 1 October 1990.

In spite of the efforts undertaken to seek, through negotiation, a solution to this conflict, efforts which led to the signature on 12 July 1992 at Arusha of agreements providing, in particular, for a cease-fire, the situation on the ground is still very disturbing. This is demonstrated, in particular, by the resumption, since 8 February 1993, of hostilities in the northern part of the country on the initiative of the Rwandese Patriotic Front.

The Rwandese Government hopes that a peaceful negotiated settlement may be achieved as soon as possible in order to put an end to this conflict. It is resolved to continue his efforts to this end within the framework of the process begun at Arusha, where political negotiations made headway with the signature of the Protocols of Agreement on the constitutional State and on power-sharing.

At the same time, the Rwandese Government is seriously concerned by the consequences of the conflict, in particular, because of the close ties that link the population groups of the Rwanda-Uganda frontier, which has for two years been the theatre of hostilities that constitute a threat to regional and international peace and security.

In order to anticipate these risks and promote respect for the cease-fire and the search for a negotiated solution, the Rwandese Government believes that the deployment of a team of United Nations military observers on the international frontier separating Rwanda and Uganda would make an essential contribution. Such a team might, in particular, be entrusted with the task of ascertaining that no military assistance, in men or in equipment, reaches Rwandese territory from Ugandan territory.

The Rwandese Government expresses the wish that you bring this request to the attention of the Security Council, so that the Council may authorize you to request the Secretary-General to take the necessary and urgent measures for the deployment of such observers.

(Signed) Jean-Damascène BIZIMANA
Ambassador
Permanent Representative of Rwanda
to the United Nations



Security Council

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S/25356
3 March 1993

ORIGINAL: ENGLISH

LETTER DATED 22 FEBRUARY 1993 FROM THE PERMANENT REPRESENTATIVE
OF UGANDA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF
THE SECURITY COUNCIL

I have the honour to bring the following communication from my Government for which I have been instructed to bring to your attention.

The Government of the Republic of Uganda views the resumption of hostilities between the Rwandese Government Army and the Forces of the Rwandese Patriotic Front as a very disturbing and serious development. The Government of the Republic of Uganda further views the outbreak of fighting as a flagrant violation of the Cease-Fire Agreement signed by both parties in Arusha, Tanzania on 10 July 1992 and is concerned that this development is likely to poison and jeopardize the atmosphere in the region.

In order, therefore, to forestall any spread of the conflict into the territory of the Republic of Uganda but more specifically, in order to forestall any accusations as has happened in the past, against Uganda of any involvement in the internal conflict in Rwanda, my Government has instructed me, through you to seek the assistance of the Council to authorize the United Nations Secretary-General, to send a United Nations Observer/Monitor Force of appropriate size, to be stationed on the border with Rwanda, on Uganda side. This will be for the purpose of patrolling, observing and ensuring that the buffer zone between the two countries is in no way infiltrated by either side while OAU efforts aimed at reconciling the two parties continue to be made.

I should be most grateful, therefore, if this matter could receive your urgent attention and to be circulated as a document of the Security Council.

(Signed) Prof. Perezi K. KAMUNANWIRE
Ambassador
Permanent Representative



Security Council

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3 March 1993
ENGLISH
ORIGINAL: ARABICLETTER DATED 2 MARCH 1993 FROM THE PERMANENT REPRESENTATIVE
OF KUWAIT TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT
OF THE SECURITY COUNCIL

On instructions from my Government, I should like to refer to the letter of the Permanent Representative of the Iraqi regime to the United Nations contained in document S/25012, dated 23 December 1992 concerning prisoners, detainees and missing persons in Iraq who are Kuwaiti and third country nationals, and wish to state as follows:

1. In his aforesaid letter, the Permanent Representative of the Iraqi regime cited news agency extracts transmitting some of what transpired in a session of the Kuwaiti National Assembly (Parliament) devoted to discussing the measures to be taken in order to guarantee Iraq's compliance with Security Council resolutions related to the release of prisoners, detainees and missing persons who are Kuwaiti and third country nationals. The extracts contained in the Iraqi Representative's letter from the news agency transmission concerning the National Assembly were characterized by their selectivity and the fact that they were entirely removed from the actual course of the general discussion in the session of Kuwaiti National Assembly on this humanitarian issue, which brings suffering on Kuwaiti people of all classes and which is a wound that still bleeds, even though two years have passed since the liberation of Kuwait and the expulsion from Kuwaiti territory of the invading Iraqi forces by virtue of Security Council resolutions and international legitimacy. The seditious aim which the Iraqi regime is trying to achieve is undoubtedly to mislead world public opinion as far as possible by distorting facts and by abandoning legal, moral and ethical responsibility for the release of innocent Kuwaitis and third country nationals held in Iraqi prisons and detention camps.

2. The above-mentioned letter of the Iraqi Representative referred to false information which it attributed to a committee of the Kuwaiti National Assembly, namely the Committee for Hostages, Missing Persons and the Welfare of Families of Martyrs. The report of the aforesaid Committee contained none of the alleged information concerning prisoners in Kuwait whose names were contained in the list of missing persons, nor any information on children detained in deportation centres. On the contrary, the report specifically called for the following:

(a) The establishment of an international team concerned with the release of prisoners similar to the inspection teams concerned with weapons of mass destruction in Iraq.

(b) A linkage between the economic sanctions imposed on Iraq and the release of prisoners and the discovery of their whereabouts.

The Chairman of the Kuwaiti National Assembly Committee also transmitted these requests to the Chairman of the Security Council, whom he met during his visit to United Nations Headquarters last December. The fabrication of this information is nothing more than a web of fantasy and a transgression of the report of the National Assembly Committee for Hostages, Missing Persons and the Welfare of Families of Martyrs.

3. The letter of the Representative of the Iraqi regime alleged that Kuwait was exploiting the issue of prisoners in order to achieve political purposes aimed at prolonging economic sanctions against Iraq. Kuwait has no need to resort to such behaviour. The well-known practices of the Iraqi regime, such as its persistence in making invalid claims to its so-called "historical rights to Kuwait" and its circumvention of all its obligations pursuant to Security Council resolution 687 (1991) and the resolutions subsequent thereto, clearly obviate the need to exploit the issue of prisoners and detainees, which is a humanitarian question, as a pretext for prolonging economic sanctions against it. Similarly, the whole world is aware of and monitors Iraq's methods of evasion and the wide discrepancy between the statements made by that regime and its actions.

4. The letter of the Permanent Representative of the Iraqi regime fails to provide evidence in support of its allegations concerning the accusation that Kuwait is exploiting the issue of prisoners in order to achieve political purposes. It therefore resorted to reiterating the matter of the number of lists of prisoners and missing persons, the reasons for which Kuwait has already explained in earlier letters to the Secretary-General and some of which we again refer to here as follows:

(a) The aggression and the Iraqi occupation of Kuwait were the wilful cause of vast destruction to all areas of life, as United Nations reports have indicated;

(b) The aggression and the Iraqi occupation of Kuwait resulted in the displacement of more than two thirds of the population of Kuwait, whose repatriation was not completed until the end of 1991;

(c) The destruction of Kuwait's infrastructure made the process of verifying and investigating information concerning prisoners, detainees and missing persons extremely difficult;

(d) The names of those released, particularly in the first months following the expulsion of the Iraqi occupation forces and the liberation of Kuwait, were deleted;

(e) The names of those who arrived in Kuwait directly or via other countries following the uprising witnessed in Iraq in March and April 1991 were deleted;

(f) The names of those whose martyrdom was discovered and whose corpses were identified were deleted.

5. The authorities concerned with prisoners and missing persons in Kuwait are continuously revising the approved lists, in which respect regular contacts are made with the families and relatives of prisoners, detainees and missing persons. The lists are then amended based on the results of those contacts, and contain no contradictions, as each one is handed over to the International Committee of the Red Cross (ICRC) on a date subsequent to the previous list and comprises fewer names. Kuwait will continue its ongoing revision of these lists.

6. The number of Kuwaiti lists is evidence of one thing, namely Kuwait's integrity: if, as the Iraqi regime alleges, political blackmail was the underlying intention, Kuwait would have adhered to a single list and would not have brought upon itself the burden of checking and revising the lists.

7. Kuwait recently handed over to ICRC 617 individual files on prisoners, detainees and missing persons. Each file contains full and detailed information on the prisoner in question. The files also include photographs of those innocent prisoners and documents left behind by the Iraqi occupation authorities showing the place, date and circumstances of their detention. They also contain, in the handwriting of the invading forces, facts which incriminate the Iraqi regime and which it wishes to expunge. These files were prepared with the generous cooperation of ICRC.

8. Although it is now more than three weeks since those files were handed over, the Iraqi authorities have not thus far responded to any of them, despite their earlier undertaking to ICRC that they would respond within 10 days of receiving any individual file.

The question of the prisoners, detainees and missing persons is, in actuality and essence, not a question of lists and numbers but a humanitarian, ethical and religious question. This is what explains the Iraqi regime's inability to understand this question. This latest letter from the Iraqi regime is merely another attempt to evade its obligations under the relevant Security Council resolutions and to use human beings, whom God Almighty has honoured and whose blood he has rendered unlawful, as a means of blackmail. If the Iraqi authorities wish to prove their good intentions, the truth of their allegations and their sincere cooperation with ICRC, they have only to comply with the standard measures and criteria by which ICRC operates, namely:

(a) Public identification of prisons and places of detention;

(b) Allowing ICRC to have access without prior notification to those prisons and places of detention;

(c) Allowing ICRC delegates to be alone with Kuwaiti prisoners, missing persons and nationals of third States;

(d) Cooperation with ICRC in providing all the necessary facilities to enable it to collect information for the purpose of determining the location and fate of those innocent persons.

We also wish to reaffirm our demands, which were included by the Special Rapporteur on the situation of human rights in Kuwait under Iraqi occupation in his report submitted to the General Assembly at its forty-sixth session (A/46/544). I wish to draw attention to some of these demands, which are, inter alia:

1. That Iraq "provide information on all persons deported from Kuwait between 2 August 1990 and 26 February 1991 who may still be detained and ... release, in accordance with its obligations under article 118 of the Third Geneva Convention and article 134 of the Fourth Geneva Convention, these persons without delay";

2. That Iraq "provide, in accordance with its obligations under articles 120 and 127 of the Third Geneva Convention, and articles 129 and 130 of the Fourth, detailed information on persons arrested in Kuwait between 2 August 1990 and 26 February 1991 who died during or after that period while in detention as well as on the site of their graves";

3. That Iraq "provide, in accordance with its obligations under article 107 of the Third Geneva Convention and article 74 of the Fourth, detailed information on all executions of persons arrested in Kuwait between 2 August 1990 and 26 February 1991 carried out in Kuwait or Iraq during or after that period and ... provide information about the site of their bodies";

4. That the Iraqi regime "search, in a humanitarian spirit, for the persons still missing and cooperate with international humanitarian organizations, such as the International Committee of the Red Cross, in this regard".

The above-mentioned standard procedures and criteria, which are applied by ICRC in all similar humanitarian missions and the above-mentioned demands, which were included by the Special Rapporteur on the situation of human rights in Kuwait, are the true touchstone for establishing the degree of Iraq's serious compliance with the Fourth Geneva Convention, human rights instruments and the letter and spirit of paragraph 30 of resolution 687 (1991). The individual files of 617 Kuwaiti prisoners that were handed over to ICRC and which prove decisively the existence of prisoners and missing persons in Iraq may perhaps be a sufficient legal, political, ethical and religious basis for testing the sincerity of Iraq's intentions and the extent of its commitment to fulfilling its undertakings.

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I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mohammad A. ABULHASAN
Permanent Representative



Security Council

Distr.
GENERAL

S/25358
3 March 1993

ORIGINAL: ENGLISH

LETTER DATED 3 MARCH 1993 FROM THE PERMANENT REPRESENTATIVE
OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED
TO THE PRESIDENT OF THE SECURITY COUNCIL

Today, Serbian and Montenegrin extremist forces overran the town of Cerska, as well as many surrounding villages, in a new round of expulsions and genocide, and are threatening the region of Srebrenica.

In an attempt to pre-empt humanitarian assistance, the Serbian leadership issued an order that the populations of Cerska and Srebrenica be wiped out or driven out before United States air-drops can save them from starvation. The Serbian forces have now expressly blocked all humanitarian land convoys. In the offensive, the aggressor forces employed heavy artillery, tanks, and ground troops, which were directed at the civilian population in the region. In the last 72 hours, 2,000 innocents have been murdered, and thousands of others forcibly displaced. As the assault on Cerska continues, approximately 40,000 citizens are susceptible to death, whether it be from starvation, exposure, disease or military attack.

These new attacks absolutely threaten the entire peace process and the noble efforts of those who are trying to save the population of Cerska and the rest of Eastern Bosnia. Acting under paragraph 1 of Article 35 of the United Nations Charter, we request an emergency meeting of the Security Council.

May I ask for your kind assistance in circulating this letter as a document of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador and
Permanent Representative



Security Council

Distr.
GENERAL

S/25359
3 March 1993

ORIGINAL: ENGLISH

LETTER DATED 2 MARCH 1993 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF AFGHANISTAN TO THE UNITED
NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

With reference to the letter dated 19 February 1993 from the Chargé d'affaires a.i. of the former Yugoslavia (S/25318), in page 3, paragraph 5 of which he alleges that:

"Again in September of 1992, a training centre for mujahidin, Kurds of Afghanistan and the Islamic Republic of Iran and from other Islamic States was established on the outskirts of Munich (Germany). Some 1,000 of these trainees were subsequently included in the green beret units of Bosnia and Herzegovina through Zagreb".

I have the honour to convey to Your Excellency that the Government of the Islamic State of Afghanistan categorically and explicitly denies such allegations. For furthering the information of the Yugoslav Chargé d'affaires, I must say that there are no "Kurds of Afghanistan".

It is obvious that the Government of Yugoslavia, by encouraging and often supporting the Serbian forces in Bosnia and Herzegovina, has become involved in one of the darkest chapters of recent human history. The allegations are nothing but a means to divert international attention from the grave crimes committed by the Serbian forces and their Yugoslav backers. The letter of the Chargé d'affaires of the former Yugoslavia demonstrates his Government's commitment to the continuation of the barbarism that has engulfed the region.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Abdul Rahim GHAFOORZAI
Chargé d'affaires a.i.



General Assembly Security Council

Distr.
GENERAL

A/47/899
S/25360
5 March 1993

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-seventh session
Agenda item 143
THE SITUATION IN BOSNIA AND
HERZEGOVINA

SECURITY COUNCIL
Forty-eighth year

Letter dated 1 March 1993 from the Prime Minister of Bosnia
and Herzegovina to the Secretary-General

I have the honour to present to you the attached letter, dated 24 February 1993, addressed to Senator Joseph Biden, Chairman of the European Affairs Subcommittee of the United States Senate Foreign Affairs Committee (see annex).

The purpose of my letter was to inform the Committee about the position of the Government of the Republic of Bosnia and Herzegovina with respect to the Vance/Owen peace talks, which is often confused with the position of the Muslim part of the Government. The issues concerning internal matters of Bosnia and Herzegovina, including internal political arrangement under the auspices or with the necessary arbitration of the international community, are to be negotiated among its three peoples: Croats, Muslims and Serbs. While the Government as a whole supports the Vance/Owen peace process, there is no single position of the Government on the current stage of the Vance/Owen talks. Each of the three negotiating parties have their own position on the proposal as it currently stands.

I also advised the Committee that the mandate of Mr. Alija Izetbegovic as President of the Presidency had expired. This is to demonstrate the immediate need for the international community to assist not only in protecting Bosnia and Herzegovina's sovereignty and territorial integrity but also in assuring that the country is governed in accordance with its democratic and constitutional principles.

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly, under agenda item 143, and of the Security Council.

(Signed) Mile AKMADZIC
Prime Minister

ANNEX

Letter dated 24 February 1993 from the Prime Minister of Bosnia
and Herzegovina to the Chairman of the European Affairs
Subcommittee of the Senate Foreign Affairs Committee of the
United States of America

This letter concerns the testimony of Mr. Haris Silajdzic, Minister for Foreign Affairs of the Republic of Bosnia and Herzegovina, before the European Affairs Subcommittee of the Senate Foreign Affairs Committee on 18 February 1993. As Prime Minister of the Republic of Bosnia and Herzegovina, I wish to advise you that Mr. Silajdzic's testimony as a whole did not represent fully the position of the Government of the Republic of Bosnia and Herzegovina.

The position was established in its November programme by consensus in the Government and the Presidency functioning as Parliament. As set forth in this programme, the Government fully supports the International Conference on the Former Yugoslavia, the Co-Chairmen of the Steering Committee, Mr. Cyrus R. Vance and Lord David Owen, and their pursuit of a negotiated solution to the crisis in Bosnia and Herzegovina. We seek to achieve a just peace through this process. In our view, a just peace includes: (1) the return of all refugees and displaced persons who wish to return to their homes, (2) the establishment of an international criminal tribunal to try those accused of war crimes, (3) non-recognition of changes achieved by aggression, including ethnic cleansing, and (4) payment of reparations to those who were damaged as a result of the war.

The Government has also determined that Bosnia and Herzegovina can be politically arranged as a decentralized State. The proposals concerning establishment of provinces are an acceptable solution if not based only on ethnic principles, but rather on a combination of ethnic, geographical, historical, economic and other principles developed through negotiations. Our programme includes full equality for the three peoples of Bosnia and Herzegovina - Croats, Muslims and Serbs - as recognized by the Constitution of the Republic of Bosnia and Herzegovina.

The Government has also agreed upon a delegation from Bosnia and Herzegovina, which is empowered to negotiate with other countries on all matters that concern our foreign relations. The delegation, which represents the Republic in discussions with other countries, is a delegation made up of two Croats, two Muslims and two Serbs. The issues concerning internal matters, including internal political arrangement under the auspices or with the necessary arbitration of the international community through the United Nations or the European Community, are to be negotiated among its three peoples. This is the case with the Vance/Owen peace talks, where three parties negotiate and no one party is the Government.

I therefore ask you to keep in mind that the testimony of Mr. Silajdzic on the current stage of the Vance/Owen talks and on the national history of Bosnia and Herzegovina is representative of the view of some Muslim members of the Government, and not of the Government as a whole.

Furthermore, please be advised that the mandate of Mr. Alija Izetbegovic as President of the Presidency of the Republic of Bosnia and Herzegovina expired on 20 December 1992. He is presently without constitutional authority to act in that capacity. The Presidency, and not the President alone, is the representative body of the Republic of Bosnia and Herzegovina. Only the Presidency can invoke constitutional emergency powers, not the President alone. The President is merely primus inter pares. Like Mr. Silajdzic, Mr. Izetbegovic does not speak for the Presidency as a whole with respect to the current stage of the Vance/Owen talks, but only as one Muslim member of the Presidency.

I regret having to be so blunt in light of the immense suffering of Bosnia and Herzegovina's Muslims. I am nevertheless compelled as Prime Minister to bring the foregoing facts to your attention.

My Government welcomes the support of the United States, and we are very grateful for such help. I will be available to discuss these matters and other issues of concern to you.

May I request your kind assistance in circulating this letter to your honourable colleagues in the United States Senate and entering this letter as a record of your esteemed Committee.

(Signed) Mile AKMADZIC
Prime Minister



Security Council

Distr.
GENERAL

S/25361
3 March 1993

ORIGINAL: ENGLISH

NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

Following consultations among members of the Security Council, the President of the Council made the following statement, on behalf of the Council, at its 3180th meeting, on 3 March 1993, in connection with the Council's consideration of the item entitled "The situation in Bosnia and Herzegovina":

"The Security Council, recalling all its relevant resolutions and statements, expresses its grave concern at and condemns the continuing unacceptable military attacks in eastern Bosnia and the resulting deterioration in the humanitarian situation in that region. It is appalled that even as peace talks are continuing attacks by Serb paramilitary units, including, reportedly, the killings of innocent civilians, continue in eastern Bosnia. In this connection, the Security Council is particularly concerned about the fall of the town of Cerska and the imminent fall of neighbouring villages. The Security Council demands that the killings and atrocities must stop and reaffirms that those guilty of crimes against international humanitarian law will be held individually responsible by the world community.

"The Security Council demands that the leaders of all the parties to the conflict in the Republic of Bosnia and Herzegovina remain fully engaged in New York in a sustained effort with the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia to reach quickly a fair and workable settlement. In this connection, the Security Council also demands that all sides immediately cease all forms of military action throughout the Republic of Bosnia and Herzegovina, cease acts of violence against civilians, comply with their previous commitments including the cease-fire, and redouble their efforts to settle the conflict.

"The Security Council further demands that the Bosnian Serb side as well as all other parties refrain from taking any action which might endanger the lives and well-being of the inhabitants of eastern Bosnia, particularly in the areas near the town of Cerska, and that all concerned allow the unimpeded access of humanitarian relief supplies throughout the Republic of Bosnia and Herzegovina, especially humanitarian access to the

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English
Page 2

besieged cities of eastern Bosnia, and permit the evacuation of the wounded.

"Having determined in the relevant resolutions that this situation constitutes a threat to international peace and security, the Security Council insists that these steps must be taken immediately.

"The Security Council also requests the Secretary-General to take immediate steps to increase UNPROFOR's presence in eastern Bosnia.

"The Security Council remains seized of the matter and is ready to meet at any moment to consider further action."



General Assembly Security Council

Distr.
GENERAL

A/47/901
S/25362
3 March 1993

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-seventh session
Agenda item 143
THE SITUATION IN BOSNIA AND
HERZEGOVINA

SECURITY COUNCIL
Forty-eighth year

Letter dated 3 March 1993 from the Permanent Representative
of Bosnia and Herzegovina to the United Nations addressed
to the Secretary-General

I have the honour to present to you the Agreement signed on 3 March 1993 by Messrs. Alija Izetbegovic, Haris Silajdzic, Mate Boban and Mile Akmadzic (see annex).

May I request your kind assistance in circulating the present letter and its annex as a document of the General Assembly, under agenda item 143, and of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador and
Permanent Representative

ANNEX

Agreement

President Izetbegovic, Dr. Silajdzic, Mr. Boban and Prime Minister Akmadzic hereby agree as follows:

1. Upon the signing of the comprehensive peace package by President Izetbegovic, both sides agree that all provinces will be considered a part of the Republic of Bosnia and Herzegovina and will not be considered national territories.
2. During the period of interim government, both sides agree to fully respect the authorized decisions of the Presidency and the Government of the Republic of Bosnia and Herzegovina.
3. Once the peace agreements have been signed, the parties agree to fly the current flag of the Republic of Bosnia and Herzegovina along the international borders of the Republic of Bosnia and Herzegovina and on all public buildings of Bosnia and Herzegovina until a flag has been agreed by all the parties under the new constitution.
4. The responsibilities of the Presidency, the Government of the Republic of Bosnia and Herzegovina and the Provinces will be in accordance with the letter and spirit of the Constitutional Principles agreed and signed by the parties.
5. In the light of General Nambiar's letter dated 1 March 1993 on the control of heavy weapons (see appendix), President Izetbegovic has agreed to sign the military agreement.
6. The parties agree that the institution of the Presidency shall be preserved during the period of interim government. There will be nine members on the interim Presidency, with three representatives from each of the three constituent peoples. Since the Republic of Bosnia and Herzegovina is to be demilitarized as provided for in Constitutional Principle No. 7, the Commander-in-Chief of the Armed Forces will not continue to serve in the interim Presidency.
7. The nine members of the interim Presidency shall designate one member to serve as President of the Presidency. The President will perform the role of head of State. The position of President will rotate every six months among the three constituent peoples in accordance with the existing sequence of rotation (Muslim, Croat and Serb).
8. The interim Presidency will take its decisions by consensus of nine, by a qualified majority of seven or by a simple majority of five depending on whether the decision relates to a constitutional principle, or specially important questions, or to normal business of the Presidency. If the members of the interim Presidency are unable to agree on the applicable majority, they will consult the Co-Chairmen whose decision will be binding.

9. The parties have submitted the following six names to serve in the interim Presidency: Fikret Abdic, Mile Akmadzic, Franjo Boras, Ejup Ganic, Alija Izetbegovic and Miro Lasic. The Co-Chairmen will ask the Bosnian Serbs to propose three Serb representatives to serve on the Presidency.

10. The parties agree that in the interim period the continuity of the legal institutions of the Republic of Bosnia and Herzegovina will be preserved to the extent possible and compatible with the nine Constitutional Principles.

Dated: 3 March 1993

(Signed) Alija IZETBEGOVIC

(Signed) Mate BOBAN

(Signed) Haris SILAJDZIC

(Signed) Mile AKMADZIC

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APPENDIX

Letter dated 1 March 1993 from the Commander of the
United Nations Protection Force addressed to the
President of the Presidency of Bosnia and Herzegovina

1. You will recall that you had some reservations about the control of heavy weapons in the Agreement on Cessation of Hostilities that was drafted at Geneva in early January 1993.

2. Since that Agreement was drafted, there are indications that there will be a fairly substantial allocation of resources for implementation and, as such, I have conveyed to the Co-Chairmen the feasibility of placing the heavy weaponry of all the warring forces under United Nations control. I am sure this will dispel any remaining doubts you have and that will facilitate your endorsement of the Agreement.

(Signed) Lieutenant-General Satish NAMBIAR
Force Commander



Security Council

Distr.
GENERAL

S/25363
4 March 1993
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 4 MARCH 1993 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF RWANDA TO THE UNITED NATIONS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Since the deterioration of conditions in my country is a threat to peace and security in the region, I have the honour, on instructions from my Government, to request an immediate meeting of the Security Council to consider ways of ensuring the cessation of the fighting, the observance of the cease-fire agreement signed at Arusha, United Republic of Tanzania, on 12 July 1992, and the implementation of the declarations issued by the Rwandese Patriotic Front on 21 February 1993 and the Government of Rwanda on 22 February 1993 with a view to restoring the cease-fire and thereby enabling the search for a negotiated political solution to continue.

The Government of Rwanda considers that a vital contribution to peace would be made if an international force to maintain the cease-fire could supervise the zone between the positions occupied by the Rwandese Patriotic Front and those occupied by the Rwandese armed forces prior to the violation of the cease-fire.

I transmit herewith the following documents regarding the situation in Rwanda:

(1) The N'sele Cease-fire Agreement between the Government of the Rwandese Republic and the Rwandese Patriotic Front, as amended at Gbadolite, 16 September 1991, and at Arusha, 12 July 1992.

(2) The declaration of cease-fire issued by the Rwandese Patriotic Front (21 February 1993).

(3) The declaration by the Government of Rwanda on the restoration of the cease-fire (22 February 1993).

I should be grateful if you would have this letter and its annexes distributed as an official document of the Security Council.

(Signed) Corneille MUNYAMPETA
Chargé d'affaires a.i.

Annex I

[Original: English and French]

The N'sele Cease-fire Agreement between the Government
of the Rwandese Republic and the Rwandese Patriotic
Front, as amended at Gbadolite, 16 September 1991,
and at Arusha, 12 July 1992

We, the representatives of the Government of the Rwandese Republic and of the Rwandese Patriotic Front,

Mindful of the unfortunate incidents that have occurred between the Rwandese and have affected peace and public order in the country,

Referring to the Communiqués issued by the Heads of State of the Region, meeting in Mwanza, United Republic of Tanzania on 17 October 1990, in Gbadolite, Zaire, on 26 October 1990 and in Goma, Zaire, on 20 November 1990,

Considering that all these Summit meetings specifically emphasized the prior need for a cease-fire,

Considering the acceptance of the cease-fire in principle by President Juvenal Habyarimana in Zanzibar on 17 February 1991 following his meeting with Presidents Yoweri Museveni of Uganda and Ali Hassan Mwinyi of the United Republic of Tanzania,

Mindful of the fact that Presidents Pierre Buyoya of Burundi, Juvenal Habyarimana of Rwanda, Ali Hassan Mwinyi of the United Republic of Tanzania, Yoweri Museveni of Uganda and Prime Minister Lunda Bululu of Zaire, assisted by the Secretary-General of the Organization of African Unity and a delegate of the Office of the United Nations High Commissioner for Refugees adopted the Dar-es-Salaam Declaration of 19 February 1991 mandating President Mobutu Sese Seko of Zaire to take urgent and immediate steps to usher in dialogue which should culminate in a formal cease-fire agreement between the Government of Rwanda and the Rwandese Patriotic Front,

Mindful of the fact that the cease-fire should facilitate the establishment of negotiations between the Rwandese Government and the Rwandese Patriotic Front aimed at national reconciliation and restoration of lasting peace,

Considering that the two Parties reaffirmed their political will during their meeting in Paris from 6th to 8th June 1992 to find through negotiations a solution to the current conflict as well as related problems,

Considering that both parties are committed to conduct direct negotiations,

/...

Mindful of the fact that both parties reaffirmed the validity of the Cease-fire Agreement signed at N'sele on 29th March 1991 and as amended on 16th September 1991 in Gbadolite subject to updating the agreement by making necessary amendments,

Have on this 12th day of July 1992, agreed on and accepted the following provisions with respect to the cease-fire:

ARTICLE I

1. A cease-fire is hereby established throughout the territory of the Republic of Rwanda, between the Government Forces and those of the Rwandese Patriotic Front. The cease-fire shall enter into force at midnight (Rwanda time) on 31st July 1992 at the same time as the deployment of the Neutral Military Observer Group.
2. The entry into force of the cease-fire shall be preceded by a truce, that is, the cessation of fighting, which shall enter into force at midnight (Rwanda time) on 19th July 1992.
3. The present Cease-fire Agreement is the first stage of a peace process which shall culminate in a Peace Agreement to be signed at the conclusion of the political negotiations.

ARTICLE II

The cease-fire shall imply:

1. The cessation of all hostilities for the purpose of dialogue and serious negotiations between the two parties under the auspices of the Mediator or a Facilitator;
2. The suspension of supplies of ammunition and weaponry to the field;
3. The supply of non-lethal logistical needs to the military forces in the field;
4. The release of all prisoners-of-war; the effective release of all persons arrested because and as a result of this war within five days following the entry into force of the Cease-fire Agreement;
5. The possibility of recovering the remains of the dead;
6. The withdrawal of all foreign troops after the effective deployment of the Neutral Military Observer Group (NMOG) except for Military Officers serving in Rwanda under bilateral Cooperation Agreements;

/...

7. A ban on infiltration of troops and on the conveyance of troops and war material to the area occupied by each party;

8. A ban on any mine-laying operations or the hindering of operations to remove the mines;

9. The establishment of the Neutral Corridor separating the areas occupied by the two respective forces. This corridor meant to facilitate the monitoring of the cease-fire by the Neutral Military Observer Group shall be determined in consideration of the front-lines of both armies. The demarcation on the field shall be established by the representatives of the two armies in the presence of the Neutral Military Observer Group.

ARTICLE III

1. The verification and control of the cease-fire shall be conducted by the neutral military observer group under the supervision of the Secretary-General of OAU;

2. The Neutral Military Observer Group shall be composed of:

10 Officers from Nigeria;

10 Officers from Senegal;

10 Officers from Zimbabwe;

10 Officers from an African country to be chosen by the current Chairman of the OAU in collaboration with the President of the United Republic of Tanzania;

5 Officers from the Government of Rwanda;

5 Officers from the Rwandese Patriotic Front;

3. The Neutral Military Observer Group shall report any violation of the cease-fire to the Secretary-General of OAU and a joint political military commission;

4. The Neutral Military Observer Group shall set up the organs and machinery required for the control and verification of the cease-fire. It shall draft its own rules of procedure. It shall enjoy a status that would enable it to perform its mission as provided in the Cease-fire Agreement; including privileges and immunities enjoyed by the OAU personnel as enshrined in the general agreement;

5. The Neutral Military Observer Group shall have full communication and other equipment it deems necessary to perform its mission. The NMOG officers may have specific uniforms with insignia for easy identification, and light weapons for self-defence.

/...

ARTICLE IV

1. A Joint Political Military Commission composed of 5 representatives of the Rwandese Government and 5 of the Rwandese Patriotic Front is established;
2. The OAU and the following countries are invited to participate, as observers, in the Joint Commission: Burundi, United Republic of Tanzania, Uganda, Zaire, Belgium, France and the United States of America;
3. The Joint Commission shall have the following mandate:
 - To ensure the follow-up of the implementation of the Cease-fire Agreement;
 - To ensure the follow-up of the implementation of the peace Agreement to be signed at the conclusion of the political negotiations;
4. The Joint Commission shall be based at the OAU Headquarters in Addis Ababa, Ethiopia. The Commission's Headquarters may be moved upon agreement by both parties;
5. The Joint Commission shall hold its inaugural meeting not later than 26th July 1992.

ARTICLE V

The signatories of the present agreement accept the following principles whose modalities of implementation shall be specified during the political negotiations.

1. Establishment of the rule of law, that is, based namely on national unity, democracy, pluralism, and respect for human rights;
2. Formation of a national army consisting of Government forces and those of the Rwandese Patriotic Front;
3. Establishment of power-sharing within the framework of a broad-based transitional government.

ARTICLE VI

The political negotiations culminating in the peace agreement shall proceed pursuant to the following calendar:

1. Commencement of the political negotiations: 10th August 1992;

2. Completion of the political negotiations and signing of the peace agreement: not later than 10 October 1992;
3. Completion of the implementation of the mechanisms and conclusions agreed upon pursuant to the peace Agreement: not later than 10 January 1993.

ARTICLE VII

In the present Agreement:

1. "Cease-fire" shall mean the cessation of all hostilities between the forces of the Government of the Rwandese Republic and those of the Rwandese Patriotic Front (RPF) throughout the national territory of Rwanda.
2. "Cessation of hostilities" shall mean the end of all military operations, all harmful civil operations and denigrating and unfounded propaganda through the mass media.
3. "Violation of the Cease-fire" shall mean the non-observance of one of the points mentioned in article II.
4. "Violation of the Cease-fire Agreement" shall mean the non-observance of any provision of the agreement.

Done in Arusha on 12th July 1992

For the Rwandese Government:

(Signed) Boniface NGULINZIRA
Minister for Foreign Affairs
and Cooperation

For the Rwandese Patriotic Front:

(Signed) Pasteur BIZIMUNGU
Member of the Executive Committee
for Information and Documentation

For the Facilitator (the United Republic of Tanzania)

(Signed) Hon. Ahmed Hassan DIRIA (MP)
Minister for Foreign Affairs and
International Cooperation

In the presence of the
Representative of the Secretary-General
of the OAU

(Signed) M. T. MAPURANGA
Assistant Secretary-General in
Charge of Political Affairs

Annex II

[Original: English and French]

Declaration of cease-fire

The Rwandese Patriotic Front in line with its continued search for a peaceful and negotiated settlement to the conflict in Rwanda is hereby declaring an immediate cease-fire. It should be remembered that this declaration comes after the one made on 10 February 1992, which was not respected by the Rwandese Government Forces. The Rwandese Patriotic Front is once again calling upon the Rwandese Government Forces to respond to this declaration for the sake of peace.

In order for the cease-fire to hold firmly, the following should be put into action:

1. The Rwandese Government Forces must remain in the positions they are presently occupying;
2. The Rwandese Patriotic Front Army will pull back to its former positions;
3. The area the Rwandese Patriotic Front Army will pull out from shall be a buffer zone and will be used to monitor the implementation of the cease-fire;
4. The monitoring of the cease-fire should be done by an expanded OAU-sponsored Neutral Military Observer Group team since the operational area will now be bigger;
5. Arusha negotiations should resume as soon as possible.

It is absolutely necessary that the implementation of the above should be agreed upon with the Government of Rwanda.

Byumba, 21 February 1993

(Signed) Colonel Alexis KANYARENGWE
Chairman of the Rwandese
Patriotic Front

Annex III

[Original: French]

Declaration by the Government of Rwanda on the restoration
of the cease-fire

The Government of the Rwandese Republic confirms its declaration on the restoration of the cease-fire, issued on 15 February 1993, under the terms of which a truce was to be observed along the whole of the front line.

This truce, which initially was to last for one week, is extended from Monday, 22 February 1993, at midnight, until the restoration of the cease-fire, in accordance with the Cease-fire Agreement signed at Arusha on 12 July 1992.

The Government of Rwanda notes with regret that, despite its declaration of a truce dated 15 February 1993 and the declaration issued by the Rwandese Patriotic Front and dated 10 February 1993, numerous violations of the cease-fire have continued to be committed by the Rwandese Patriotic Front during the past week.

The Government of Rwanda confirms its decision to observe the truce and therefore accepts the proposals formulated by the Rwandese Patriotic Front in its declaration of cease-fire of 21 February 1993, to which the Government of Rwanda gives the following response:

1. The Rwandese armed forces are to remain in their current position;
2. The army of the Rwandese Patriotic Front must regain the positions it occupied previously, as observed and established by the Neutral Military Observer Group;
3. The zone between the positions previously occupied by the Rwandese Patriotic Front and those previously occupied by the Rwandese armed forces is to be considered a demilitarized neutral zone which will be used for monitoring the implementation of the cease-fire;
4. The monitoring of the cease-fire is to be supervised by an international force for maintaining the cease-fire under the auspices of the Organization of African Unity and the United Nations;
5. Those displaced by the war will be installed in the demilitarized neutral zone and will receive the protection of the international force for maintaining the cease-fire;
6. The Arusha negotiations are to resume on 1 March 1993 at the latest;

7. The Government of Rwanda requests a meeting of the joint political-military commission in ten days' time to consider all the technical aspects of the observance of the cease-fire.

Kigali, 22 February 1993

(Signed) Boniface NGULINZIRA
Minister for Foreign Affairs
and Cooperation



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A/48/95
S/25364
4 March 1993
ENGLISH
ORIGINAL: FRENCH

GENERAL ASSEMBLY
Forty-eighth session
Item 18 of the preliminary list*
IMPLEMENTATION OF THE DECLARATION ON THE
GRANTING OF INDEPENDENCE TO COLONIAL
COUNTRIES AND PEOPLES

SECURITY COUNCIL
Forty-eighth year

Letter dated 4 March 1993 from the Chargé d'affaires a.i.
of the Permanent Mission of Algeria to the United Nations
addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit herewith the position of my country, as an observer State to the process of settling the conflict in Western Sahara, following the adoption by the Security Council of resolution 809 (1993) (see annex).

I should be grateful if you would have this letter and its annex circulated as an official document of the General Assembly, under item 18 of the preliminary list, and of the Security Council.

(Signed) Rabah HADID
Ambassador
Chargé d'affaires a.i.

* A/48/50.

ANNEX

Position of Algeria, as an observer State to the settlement of
the conflict in Western Sahara, following the adoption by the
Security Council of resolution 809 (1993)

As an observer country to the process of settling the question of Western Sahara, Algeria has been involved at all stages in the development and implementation of the settlement plan and has made it a duty to lend its constant support to the process of the joint good offices of the Acting Chairman of the Organization of African Unity and the Secretary-General of the United Nations. It will continue to make its contribution towards the implementation of the full settlement plan as accepted by the two parties and unanimously approved by the Security Council.

Algeria consequently believes that all possible steps should be taken to create the conditions needed to hold a referendum on genuine self-determination which satisfies the United Nations imperative of credibility and which is such as to guarantee stability in the whole region.



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Item 18 of the preliminary list**
IMPLEMENTATION OF THE DECLARATION ON THE
GRANTING OF INDEPENDENCE TO COLONIAL
COUNTRIES AND PEOPLES

SECURITY COUNCIL
Forty-eighth year

Letter dated 4 March 1993 from the Chargé d'affaires a.i.
of the Permanent Mission of Algeria to the United Nations
addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit herewith the position of my country, as an observer State to the process of settling the conflict in Western Sahara, following the adoption by the Security Council of resolution 809 (1993) (see annex).

I should be grateful if you would have this letter and its annex circulated as an official document of the General Assembly, under item 18 of the preliminary list, and of the Security Council.

(Signed) Rabah HADID
Ambassador
Chargé d'affaires a.i.

* Reissued for technical reasons.

** A/48/50.

ANNEX

Position of Algeria, as an observer State to the settlement of
the conflict in Western Sahara, following the adoption by the
Security Council of resolution 809 (1993)

Algeria has taken note of the adoption on 2 March 1993 of Security Council resolution 809 (1993) on the question of Western Sahara, inviting the Secretary-General and his Special Representative to intensify their efforts with the parties in order to resolve the questions blocking the implementation of the Settlement Plan, in particular those relating to the interpretation and application of the criteria for voter eligibility.

In reaffirming its endorsement of the Settlement Plan established jointly by the United Nations and the Organization of African Unity, Algeria strongly hopes that the Kingdom of Morocco and the Frente Polisario will demonstrate the necessary will and cooperate in good faith in resolving those questions inasmuch as no viable solution is possible in the absence of agreement between the parties.

It wishes to recall that in accepting the 1988 settlement proposals as well as the Settlement Plan, the Kingdom of Morocco and the Frente Polisario had expressly given their agreement that the 1974 Spanish census should constitute the point of reference and the basis for identifying the Saharans eligible to participate in the referendum for self-determination. In that spirit, Algeria wishes to reiterate the position it stated on 26 December 1991 (S/23323) to the effect that the introduction of new elements not agreed to by both parties would be incompatible with the spirit and letter of the Settlement Plan and could jeopardize the process for settling the dispute concerning Western Sahara as originally conceived by the United Nations and accepted by both parties.

It expresses the hope that the Security Council, which has placed its seal of authority on the Settlement Plan by its resolutions 658 (1990) and 690 (1991), will continue to ensure that its integrity is preserved and that the Settlement Plan is not misconstrued either in content or purpose, namely the free exercise by the people of Western Sahara of its right to self-determination.

In that connection, Algeria cannot but note with regret the omission for the first time of any reference to the role of the Organization of African Unity in the organization and supervision of the referendum for self-determination in Western Sahara which was conceived precisely in the framework of their joint mission of good offices.

As an observer country to the process of settling the question of Western Sahara, Algeria has been involved at all stages in the development and implementation of the Settlement Plan and has made it a duty to lend its constant support to the process of the joint good offices of the Acting

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Chairman of the Organization of African Unity and the Secretary-General of the United Nations. It will continue to make its contribution towards the implementation of the full Settlement Plan as accepted by the two parties and unanimously approved by the Security Council.

Algeria consequently believes that all possible steps should be taken to create the conditions needed to hold a referendum on genuine self-determination which satisfies the United Nations imperative of credibility and which is such as to guarantee stability in the whole region.
